

Response to Notice to Comply
Serial No. 09/330,235

requested sequence listing. The amendments indicated on the attached sheets enter the corresponding sequence listing numbers into the specification. Their entry is indicated below; the page and line numbers refer to the substitute specification included with this response.

Support for SEQ ID Nos. 1 and 2 is found on page 20, lines 10-11, where reference is made to GenBank accession number L4180.

Support for SEQ ID Nos. 3 and 4 is found on page 20, lines 15-17.

Support for SEQ ID Nos. 5 and 6 is found on page 21, lines 11-12.

Support for SEQ ID Nos. 7 and 8 is found on page 22, lines 21-22, where reference is made to GenBank accession number L01418.

Support for SEQ ID Nos. 9 and 10 is found on page 23, lines 3-6.

Support for SEQ ID Nos. 11 and 12 is found in Example 3 on pages 30-34. Example 3 of the instant application provides the same text and data as Example 7 of USPN 6,051,754 (column 19, line 30 through column 22, line 48, relevant pages attached to this response). Both of these examples refer to plasmids pCGN5525, which has the coding sequence for Ma29 under the control of a double 35S promoter, and pCGN5531, which has the coding sequence for Ma29 under the control of a napin promoter. The '754 patent describes the isolation of the Ma29 in Example 1 in column 13, line 40 through column 2, line 48. The Ma29 nucleotide and amino acid sequences are provided in Figure 7A-D and as SEQ ID Nos:5-6 of the '754 patent.

Support for SEQ ID Nos 13 and 14 is found on page 33, lines 12-15.

Support for SEQ ID Nos 15 and 16 is found on page 38, lines 1-6.

Support for SEQ ID Nos 17-20 is found on page 38, lines 15-17, where reference is made to PCT publications WO 98/46763 and WO 98/46764 (relevant pages of each attached).

Both publications provide the nucleic acid and amino acid sequences of *M. alpina* Δ6 desaturase in Figure 3A-E and the nucleic acid and amino acid sequences of *M. alpina* Δ12 desaturase in Figure 5A-D.

Support for SEQ ID Nos 21 and 22 is found on page 39, lines 2-5.

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Applicants affirm that no new matter is introduced by insertion of the attached sequence listing into the instant specification, and that no new matter has been introduced into the substitute specification provided with this response.

CONCLUSION

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned at (650) 328-4400.

Respectfully submitted,

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Jennifer L. Wahlsten, Ph.D.
Reg. No. 46,226

Rae-Venter Law Group, P.C.
P. O. Box 60039
Palo Alto, CA 94306
Telephone: (650) 328-4400
Facsimile: (650) 328-4477

BRV/JLW